

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEBRASKA

In the Matter of:

Case No. 24-80810

JAMIE LYNN MCCREA,
Debtor.

Chapter 13

**MOTION TO ALLOW CLAIM OUT OF TIME ON BEHALF OF APG FINANCIAL /
MAKOSIAN TAYLOSVILLE**

COMES NOW the debtor, by and through her below signed attorney of record, and hereby states and alleges as follows:

1. Debtor filed a Chapter 13 Bankruptcy on September 13, 2024.
2. The debtor filed her chapter 13 plan on September 20, 2024. The Plan is not confirmed.
3. The creditor, APG Financial/ Makosian Taylosville was listed in the debtor's bankruptcy schedules. The deadline to file proof of claim was on November 22, 2024.
4. APG Financial/Makosian Taylosville (hereinafter "Creditor") failed to timely file a claim. The debtor's attorney filed a claim on December 20, 2024.
5. A copy of the proposed Proof of Claim of Creditor is attached hereto.
6. The proposed claim is a lease the debtor wants to assume and pay through her Chapter 13 plan.
7. In order that the debtor may receive full benefit from her Chapter 13 Plan it is appropriate that the Court allow this proof of claim.

WHEREFORE, debtor prays that the Court permit Creditor to file a proof of claim out of time, and for such other and further relief as the Court deems just and equitable.

Jamie McCrea,
Debtor.

By: /s/ Christopher J. Gamm
Christopher J. Gamm
GAMM LEGAL SERVICES, LLC
Attorneys at Law
11550 West Dodge Road
Omaha, NE 68154
402.512.4266

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEBRASKA

In the Matter of:

Case No. 24-80810

JAMIE LYNN MCCREA,
Debtor.

Chapter 13

NOTICE SETTING RESISTANCE DEADLINE

PURSUANT TO Neb.R.Bankr.P.9013, you are notified as follows:

1. Christopher J. Gamm, attorney for the above captioned debtor, has filed a MOTION TO ALLOW CLAIM OUT OF TIME.

2. The last day to file a resistance to the Motion is January 29, 2025. Resistance must be served to the Court and on Debtor's counsel.

3. If the resistance period expires without the filing of same, the Court will consider entering an order granting the relief sought without further notice or hearing.

Dated: January 15, 2025

Jamie McCrea,
Debtor.

By: /s/ Christopher J. Gamm
Christopher J. Gamm
GAMM LEGAL SERVICES, LLC
Attorneys at Law
11550 West Dodge Road
Omaha, NE 68154
402.512.4266

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 15, 2025, the Motion to Allow Claim Out Of Time and Notice was filed with the Clerk of the Bankruptcy Court using the CM/ ECF system, which provided service to Erin M. McCartney the Chapter 13 Trustee and Jerry Jensen, the US Attorney. I further certify that on the same date, a copy of the foregoing was mailed by first-class U.S. Mail, postage prepaid, to the parties on the current court matrix, a copy of which is attached.

/s/ Christopher J. Gamm
Christopher J. Gamm

Fill in this information to identify the case:

Debtor 1	Jamie McCrea
Debtor 2	
(Spouse, if filing)	
United States Bankruptcy Court	District of Nebraska
Case number:	24-80810

FILED
U.S. Bankruptcy Court
District of Nebraska
12/20/2024
Eva Roeber, Clerk

Official Form 410
Proof of Claim

12/24

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?	APG Financial/Makosian Taylosville Name of the current creditor (the person or entity to be paid for this claim) Other names the creditor used with the debtor	
2. Has this claim been acquired from someone else?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. From whom?	
3. Where should notices and payments to the creditor be sent?	Where should notices to the creditor be sent? APG Financial/Makosian Taylosville Name Attn: Bankruptcy 4238 S. Redwood Rd Salt Lake City, UT 84123 Contact phone 8018861555 Contact email apg@Makosianauto.com Uniform claim identifier (if you use one):	Where should payments to the creditor be sent? (if different) APG Financial Name PO Box 572040 Murray, UT 84157 Contact phone 8018861555 Contact email apg@Makosianauto.com
4. Does this claim amend one already filed?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) Filed on MM / DD / YYYY	
5. Do you know if anyone else has filed a proof of claim for this claim?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing?	

6. Do you have any number you use to identify the debtor?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: 0048
7. How much is the claim?	<div>\$ 20437.42</div> <div>Does this amount include interest or other charges? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).</div>
8. What is the basis of the claim?	<div>Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as healthcare information.</div> <div>Lease of Car</div>
9. Is all or part of the claim secured?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. The claim is secured by a lien on property.</div> <div>Nature of property: <input type="checkbox"/> Real estate. If the claim is secured by the debtor's principal residence, file a <i>Mortgage Proof of Claim Attachment</i> (Official Form 410-A) with this <i>Proof of Claim</i>. <input type="checkbox"/> Motor vehicle <input type="checkbox"/> Other. Describe: _____</div> <div>Basis for perfection: _____</div> <div>Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)</div> <div>Value of property: \$ _____</div> <div>Amount of the claim that is secured: \$ _____</div> <div>Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)</div> <div>Amount necessary to cure any default as of the date of the petition: \$ _____</div> <div>Annual Interest Rate (when case was filed) _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable</div>
10. Is this claim based on a lease?	<div><input type="checkbox"/> No <input checked="" type="checkbox"/> Yes. Amount necessary to cure any default as of the date of the petition. \$ _____</div>
11. Is this claim subject to a right of setoff?	<div><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Identify the property: _____</div>

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes. Check all that apply:	Amount entitled to priority
A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.	<input type="checkbox"/> Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).	\$ _____
	<input type="checkbox"/> Up to \$3,350* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).	\$ _____
	<input type="checkbox"/> Wages, salaries, or commissions (up to \$15,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).	\$ _____
	<input type="checkbox"/> Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).	\$ _____
	<input type="checkbox"/> Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).	\$ _____
	<input type="checkbox"/> Other. Specify subsection of 11 U.S.C. § 507(a)() that applies	\$ _____
* Amounts are subject to adjustment on 4/01/25 and every 3 years after that for cases begun on or after the date of adjustment.		

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.

Check the appropriate box:

- ☐ I am the creditor.
☐ I am the creditor's attorney or authorized agent.
☒ I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
☐ I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this Proof of Claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this Proof of Claim and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 12/20/2024
MM / DD / YYYY

/s/ Chris Gamm

Signature

Print the name of the person who is completing and signing this claim:

Name	Chris Gamm
	First name Middle name Last name
Title	
Company	Gamm Legal Service, LLC
	Identify the corporate servicer as the company if the authorized agent is a servicer
Address	11550 West Dodge Road
	Number Street
	Omaha, NE 68154
	City State ZIP Code
Contact phone	402-512-4266
	Email
	chris@gammlaw.us

Label Matrix for local noticing

Jamie Lynne McCrea

4519 IZARD STREET Apt 3

Omaha, NE 68132-2337

APG Financial/Makosian Taylosville

Attn: Bankruptcy

4238 S. Redwood Rd

Salt Lake City, UT 84123-2220

0867-8

Case 24-80810-BSK

District of Nebraska

Omaha Office

Wed Jan 15 12:22:52 CST 2025

(p)ACCREDITED COLLECTION SERVICE INC

PO BOX 27238

OMAHA NE 68127-0238

Americab Education Services

Attn: Bankruptcy

Po Box 2461

Harrisburg, PA 17105-2461

Douglas County Attorney

1819 Farnam St

Civic Center, Ste 909

Omaha, NE 68183-1000

Douglas County Treasurer

909 Civic Center

1819 Farnam Street

Omaha, NE 68183-1000

ECMC

PO Box 16408

St Paul, MN 55116-0408

EPN of Nebraska LLC

PO Box 1123

Minneapolis, MN 55440-1123

(p)HUNTINGTON NATIONAL MANAGEMENT LLC

ATTN STANLEY KUBIAK

PO BOX 1158

HAMBURG NY 14075-9158

Internal Revenue Service

PO Box 7346

Philadelphia, PA 19101-7346

Mountain Land Collections, Inc.

Attn: Bankruptcy

Po Box 1280

American Fork, UT 84003-6280

(p)NEBRASKA DEPARTMENT OF REVENUE

ATTN ATTENTION BANKRUPTCY UNIT

PO BOX 94818

LINCOLN NE 68509-4818

(p)NEBRASKA MEDICINE

ATTN PATIENT FINANCIAL SERVICES

988140 NEBRASKA MEDICAL CENTER

OMAHA NE 68198-8140

U.S. Department of Education

Ecmc/Attn: Bankruptcy

P.O. Box 16408

Saint Paul, MN 55116-0408

US Department of Education

PO Box 16448

Saint Paul MN 55116-0448

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Accredited Collection Service, Inc.

PO Box 27238

Omaha, NE 68127-0238

Huntington National Management LLC

PO Box 1158

Hamburg, NY 14075

Nebraska Department of Revenue

Attn: Bankruptcy Unit

PO Box 94818

Lincoln, NE 68509-4818

Nebraska Medicine

Patient Financial Services

988140 Nebraska Medical Center

Omaha, NE 68198-8140

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) Transworld Systems inc.

End of Label Matrix
Mailable recipients 15
Bypassed recipients 1
Total 16